



J. H. MARTIN IS CHARGED WITH ASSAULT WITH INTENT TO KILL

Time For Preliminary Hearing Before the Municipal Court Has Not Been Decided On—Harry Martin Again Arrested—A. B. Foulger Rode Home With Martin on Night of Attack on Dave Edwards—Return of Shotgun to Home of J. H. Martin Causes a Big Stir.

The second chapter in the prosecution of J. H. Martin in connection with the blacking scheme of the past few months was opened this afternoon when County Attorney David Jensen filed a complaint in the municipal court charging Martin with assault with intent to kill David Edwards, the Pinkerton detective.

The first legal step taken was the petition of the prisoner for a writ of habeas corpus which was filed in the district court yesterday. Upon its being granted, Judge Harris issued an order directing the officers to appear in his division of the district court Wednesday and show cause why they are detaining Mr. Martin. The action of today on the part of the county attorney will preclude the necessity of the habeas corpus proceedings of tomorrow, as the complaint and warrant of arrest places the prisoner legally in the hands of the officers.

A time for preliminary hearing will be agreed upon by counsel. The action of the municipal court in the matter will be in the capacity of a committing magistrate to determine whether there is probable cause to bind the defendant over to the district court for trial. The defendant will not be required to enter a plea before the magistrate and the hearing will be perfunctory and quite likely a part of the proceedings.

The officers of the city and county are busily engaged now getting together the witnesses upon whom they will rely for a verdict against Martin. The process of elimination will be entered into to obviate the possibility of introducing testimony that will not be germane to the charge preferred. A great many alleged facts written in the newspapers will never be introduced in the trial of the case and many who have been quoted as having knowledge of incriminating facts will never be called to the witness stand. Those who are seeking a share of the reward, but who really know nothing of importance in the case, will not be called to testify and perhaps some who think they do not know much may be required to state what they know to the court.

There have been no new developments in the past 24 hours and it is said by the officers and the attorneys that about all the facts that will be used at the preliminary hearing are at hand. Chief Norton and Sheriff DeVine say they think they have sufficient evidence to bind the defendant over to the district court and County Attorney Jensen and District Attorney Davis are of the same opinion. Yesterday Chief Norton and other officers conferred with Alvin B. Foulger regarding his knowledge of Mr. Martin's habits and learned from him that he accompanied Martin home at 11 o'clock on the night of the battle with Edwards on West Seventeenth street. Mr. Foulger said today that the report that he had a great deal to say about Martin respecting his recent actions is not true. He says that he knows nothing of importance about Martin and that he has not said that he would make a lengthy statement on the witness stand. In fact he is not certain that he will be called as a witness, as the fact that he accompanied Martin at 11 o'clock on the night of the shooting is not very material.

Chief Norton and Sheriff DeVine say that the elaborating on what Foulger said and will testify to is far-fetched and of practically no consequence and they are not certain whether the man will be a witness for the state. Foulger is a neighbor of the Martin family.

The Martin family's arrest, a long barreled shotgun was taken possession of at the home of J. F. Martin on West Seventeenth street, and was retained by the officers until last evening when it was returned to the elder Martin. The trip of the officers to the home to deliver the shotgun led some to speculate considerably as to the possibility of new and startling charges.

The bandits have always employed sawed-off shotguns, as nearly as can be determined, and steel ball bearings have been used. The officers were of the opinion that the long barreled shotgun might have been used at some time with steel bullets which would have creased the gun.

After the weapon had been examined carefully and no evidence found of ball bearings having been used in it as Deputy Sheriff J. L. Hobson stated this morning, the weapon was returned to its owner.

Frank Blair who has been quoted by some of his relatives as saying that he recognized the picture of J. H. Martin as that of a man who shot off after the Reese holdup came to the railroad shops, and secured sawed off shotgun from a heap of cast-off material, and in so doing, disclosed a sack of jewelry, some of which was scattered about the place, stated today that the story is not true.

"I deny it absolutely," said Blair. "I never said such a thing to anyone."

Yesterday afternoon young Harry Martin, cousin of J. H. Martin, was arrested again and taken to the county jail. The young man was arrested at the time J. H. Martin was taken into custody but was released a short time, as his statements regarding his whereabouts at that time were satisfactory to the officers.

It is said by the officers that Harry Martin has been a little sullen when repeatedly questioned in the past few days

and that they concluded that he had more to do with the affair than they at first suspected. The officers do not state, however, just what charge of any, they will prefer against him. If he is retained long without a complaint and warrant, it is more than likely that Attorney Chase will ask for a writ of habeas corpus. It is thought he was arrested for the purpose of "shaking him down."

FIRE AT THE CENTRAL HIGH SCHOOL IS SOON OUT

The Central Junior high school was the scene of a small fire at the noon hour which fortunately was confined to the supply room where it started. The fire department was called and made a quick run to the school, which is situated on the corner of Adams avenue and Twenty-fifth street. The blaze was put out in short order with the use of the chemical.

A number of books and some stationery was partially burned, entailing a loss of about \$100.00, which is covered by insurance. The fire was caused by an overheated smokestack.

TWO DRUNKS ARE TAKEN TO JAIL

With the aid of the "Black Maria" Sergeant Mohrman and Patrolman Brown brought in two happy strangers who had been "bitting the rye" a little too frequently. They were caught at the corner of Twenty-fifth street and Grant avenue at 2 p. m. At the station the first one questioned gave his name as Pat Riley and his occupation a limeman. The other one was asked his name and just as he said "Tom O'Gowan," Riley broke in with, "And, thank God, we're home." When they were searched O'Gowan was pretty well "heeled" but Riley didn't have a cent.

KREINES AND HADLEY CASES TO COME UP TOMORROW

The case of D. Kreines, the second hand store proprietor, will be heard before Judge Reeder of the municipal court tomorrow. Kreines is charged with receiving stolen goods. He is alleged to have bought the copper that was taken from the Ogden Rapid Transit company some weeks ago, by William Hendershot and Carl Ophaug. Kreines has been out on bonds. The case of Joseph Hadley, charged with assault and battery, will also be heard tomorrow. The charge against Hadley, it will be recalled, was the result of an altercation between him and Robert McFarland of West Weber, over a water right, in which Hadley struck his opponent with a shovel. The assault occurred on August 28 and Mr. McFarland has not yet wholly recovered from the effects of the injury he received. Hadley has been out on bonds, while awaiting trial.

LOCAL BRIEFS

Superintendent T. F. Rowlands of the Southern Pacific has arrived home today from an inspection trip through California.

J. J. Meyers, Utah hotel inspector, is in Ogden today. Mr. Meyers is registered at the Marion.

Attends Convention—G. C. Hymer, western states representative for Brown & Bigelow, St. Paul, Minn., leaves for San Francisco today to attend a meeting of the calendar salesmen.

Marriage Licenses—Marriage licenses have been issued to Farley W. Johnson of Salt Lake and Charlotte Rogers of Ogden; Joseph M. Jensen and Ethel J. Chamberlain of Pleasant View; and to Rafael L. Velarde, Mexico City, and Lily H. Magean of County Down, Ireland.

Guardian Named—In the matter of the estate and guardianship of Daniel McBride, a minor, the mother, Sophia McBride, has been appointed guardian ad litem. Mrs. McBride relates in her petition that the child's estate consists of an action for dam-

ages against William E. Quilliam. It will be recalled that the child was run over by an automobile at North Ogden about a year ago and badly injured.

Xmas Tree at Armory—The Salvation Army has plans in preparation for a big Xmas tree on the afternoon of the 24th at the Armory.

Released From Quarantine—The Murdock family residing in Stewart Lane was released from quarantine today. The members of the family were quarantined with smallpox.

Married—Judge William Reeder officiated at an alliance early this afternoon in his office at the City hall. The contracting parties were Rafael L. Velarde of Mexico City and Lily H. Magean of County Down, Ireland. The marriage was witnessed by Miss Viola Clancy, clerk of the board of education, and John Wintle, city quarantine officer. The young couple will reside in Salt Lake City.

RED CROSS STAMPS ARE NOW ON SALE

Representatives of the Red Cross society will begin the sale of Red Cross stamps in the corridors of the postoffice tomorrow afternoon. The work will be in charge of Mrs. John C. Culley and Miss C. G. Carnahan and 90 per cent of the sales will go to the Children's Aid society.

Postmaster W. W. Browning has given the ladies the liberty of the corridors, but wishes the public to understand that the Red Cross stamps are not good for postage.

C. W. CROSS COMPANY IS INCORPORATED

The C. W. Cross company has filed articles of incorporation with the county clerk with a capital stock of \$25,000 divided into shares of the par value of \$10 each. The incorporators and officers are as follows:

Charles W. Cross, president and treasurer.
Annie L. VanDyke, secretary.
Avis R. Cross, vice president.
Walter M. Shaw.
Wilbur Shaw.

The officers constitute the first board of directors. The company will continue in the harness and saddlery business in this city, heretofore conducted by C. W. Cross.

REWARD OF \$1,000 BY THE GOVERNOR FOR RALPH LOPEZ

Governor William Spry today offered a reward of \$1000 for the capture of Ralph Lopez, the Mexican bandit.

WOMEN OVERCOME BY GAS FUMES

Columbus, O., Dec. 9.—Mrs. L. B. Hart, aged 71, was found dead today in her home in Worthington, a suburb, and her two granddaughters, Misses Barbara and Rachel Hart, are in a dying condition as a result of being overcome by gas fumes.

Mrs. Hart and the two granddaughters were left a legacy of a half million dollars by the late United States Senator J. G. Fair of Nevada, who was an uncle of the two young women.

The Misses Hart had recently returned from California, where they visited relatives.

BITTER ATTACK ON VIVISECTION

Washington, D. C., Dec. 9.—Bitter attack on the vivisection work of the Rockefeller Institute and also on John D. Rockefeller for financing the work, was made by Edward H. Clement of Boston in his opening address here today as president of the international anti-vivisection and animal protection congress. "Imagine it proved," he declared, "that your healthier scalp or sounder liver is 'indicated' as the physicians say, for Mr. Rockefeller's baldness and dyspepsia. Are you willing that Mr. Rockefeller's jugglers should take you or one of your sons, and setting you up your survivors in an audience they never dreamed of, proceed to scalp you, painlessly, of course, perhaps with prayers? Here in the United States is the largest mass in the world of 'tainted' wealth and the whole toppling mass stands crowned with the Rockefeller Institute. There is enthroned man's superior cunning and power wreaking itself on animals as erstwhile humanity."

Mr. Clement declared that the hard

MEXICAN DIPLOMATS TO THANK JAPANESE



Top to bottom, Norberto Dominguez, Luis U. Balvan and Manuel Gasque.

Announcing that the purpose of their long trip is merely to thank the mikado for the participation of Japan in the Mexican centennial of 1910, officials who have been prominently identified with the federal government in Mexico are now on their way to Japan. The diplomatic party includes Norberto Dominguez, Manuel Gasque and Luis U. Galvan.

est battle was against the "corrupt appeal of vivisection to the selfish fears of man." Doctors justify themselves, he added, by saying that any poor baby of the slums is worth a thousand dogs.

"But certain children's hospitals experimentations does not suggest excess alive tenderness for infants of the slums," he asserted.

The United States, Germany, France, Finland, Italy, Sweden, Norway, Denmark and Belgium are represented at the conference either by representatives in person or by letters or statements by prominent physicians of those countries.

RESCUE CREWS DOUBLE EFFORTS

Houston, Tex., Dec. 9.—Rescue crews in the Brazos river flood district redoubled their efforts today to reach the 2000 marooned persons menaced by starvation or death. Light motor boats carried food to flood victims perched on roofs or imprisoned in cotton gin buildings while larger craft made their way through the bottom carrying refugees to concentration camps. The crest of the flood nearing the gulf, appeared today to be in Fort Bend county.

The flood's death list up to noon included 163 persons, the majority of them negroes.

HURLS DEFIANCE AT PARLIAMENT

Berlin, Dec. 9.—The imperial chancellor, Dr. Von Bethmann-Hollweg, today defied parliament to pass amendments to the constitution, proposed by the Socialists, making the imperial chancellor responsible to the house for the acts of the emperor and providing for his dismissal on the demand for the house.

Phillip Scheidemann, one of the Socialist leaders, at the opening of the budget debate today moved the adoption of the amendments put forward by his party and appealed to the house to refuse to vote supplies until Chancellor Von Bethmann-Hollweg had either resigned or been dismissed by the emperor.

The chancellor thereon rose and declared the amendments proposed were a clear invasion of the imperial prerogative and announced that he had neither presented his resignation nor did he intend to do so.

ROOSEVELT GUEST OF HONOR IN PARAGUAY

Asuncion, Paraguay, Dec. 9.—The president of Paraguay today gave a banquet in honor of Colonel Theodore Roosevelt. Among the guests were all the cabinet ministers and three former presidents of Paraguay, Cecilio Baer, Juan B. Gaona and Dr. Enillano Gonzalez Naveira.

LONG LINE OF MEXICANS SEEN

Four Thousand Civilians and Federals Straggling Toward Texas Border Town.

GREAT NEED OF FOOD

Federal General Fortifying Village—Civilians to Cross Into United States.

Presidio, Texas, Dec. 9.—For as far as the eye could reach there stretched out over the desert south of Ojinaga, Mexico, opposite Presidio, today the straggling end of the Mexican federal army and the civilians who fled from Chihuahua to safety on the United States border. It was expected the refugees would continue to arrive at Ojinaga all day. A few who reached the American side said the exodus included more than four thousand.

The federal troops, including the most important federal generals in the north, continued in their work of fortifying the village. This, taken with the fact that General Yes Salazar immediately on his arrival communicated with Mexico City, indicated that the federals intended to make a defense on the border, at least until they could receive orders from Huerta government. Food supplies of which the federals were in great need will be sent across the river, but the United States troops have been instructed to guard closely against any infringement of the neutrality laws.

The civilians who endured the hardships of the eight-day march from Chihuahua mostly on foot, rather than face the invasion of Chihuahua City by the rebels, are to be allowed to cross. They will be taken fifty miles by automobiles and wagons to Marfa, thence to El Paso and other cities.

The story brought by the refugees was that they left Chihuahua on three trains, hoping to cover the distance to Falmoir, the end of the uncompleted railroad about a third of the way across the desert, but that, a short distance out of the city, the first train was wrecked. All then had to start the journey on foot, the federals first dynamiting the engines and burning more than 100 cars to prevent their falling into the hands of the rebels.

FEDERAL STORES FOR ALASKANS

Government Sells to Natives at Price the Traders Cannot Meet.

CO-OPERATIVE STORES
Scheme to Protect Eskimos Proves Success—Unscrupulous Merchants Outwitted.

Washington, Dec. 9.—High living cost practically has ceased to give the Alaskan natives any serious concern since the government, through the federal bureau of education, has aided in establishing co-operative supply stores at several points. These stores carry all the goods the natives desire and sell at a price that traders cannot meet.

Heretofore the bureau says, traders have charged exorbitant prices for goods they sold the natives and purchased native products at ridiculously low figures. To meet this situation and protect the natives the bureau of education undertook the establishment of co-operative stores managed by the natives under the supervision of the public school teachers.

These stores have been very successful. One instance is cited where a store at Hyaburg, in southeastern Alaska, after a year's operation, was able to declare a 50 per cent cash dividend to its native owners. There was left sufficient funds to erect a larger store building.

CRAIG MURDER CASE DISMISSED

State Fails to Connect Doctor With the Killing of Helen Knabe.

Shelbyville, Ind., Dec. 9.—Judge Alonzo Blair today instructed the jury to dismiss the case against Dr. William B. Craig, charged with the murder of Dr. Helen Knabe at Indianapolis, October 23, 1911.

The motion to dismiss the case was made by Attorney Henry Spain for the defendant yesterday when the state concluded its evidence.

Mr. Spain, in his argument to dismiss the case, said he believed Dr. Knabe was murdered, but said, "It is a far cry from the proposition that Dr. Knabe was murdered to the proposition that Craig did it."

He declared that the state had

failed to connect Dr. Craig with the crime and also had failed to establish any motive for it. Attorneys for the state argued that their evidence was sufficient to convict, but they were overruled by Judge Blair.

Dr. Knabe Prominent.
Dr. Helen Knabe was one of the most prominent women doctors in the state and at one time was connected with the state board of health. She was found dead in her apartment in Indianapolis on the morning of October 24, 1911, by her office girl, Miss Katherine McPherson. The police after a long investigation, reported that Dr. Knabe committed suicide.

Women of Indianapolis became interested and employed a private detective to gather evidence. It was on the detective's report that the third grand jury which had considered the case, returned indictments December 21, 1912, against Dr. Craig and A. M. Ragsdale, an undertaker, and administrator of the Knabe estate. Ragsdale was indicted as an accessory after the fact, and now that Craig has been acquitted, probably will never be tried.

WARSHIPS UNDER RUSH ORDERS

United States Cruiser Chester and Gunboat Wheeling Sent to Tampico.

REBELS PLAN ATTACK

Surrender of Town Demanded by Leaders—Federals Dare Them to Come.

Vera Cruz, Dec. 9.—The United States cruiser Chester and the gunboat Wheeling left Vera Cruz this morning under rush orders to proceed to Tampico. Rear Admiral Frank F. Fletcher reported today by wireless from the United States battleship Rhode Island, now off Tampico that an American had arrived at that port bringing news of the capture by rebels of the town of Altamira, twenty miles from Tampico. It is not believed the rebels intend to attack Tampico.

Rebels Demand Surrender.
Mexico City, Dec. 9.—The surrender of Tampico has been demanded by the rebel leaders, General Lucio Blanco and Pablo Gonzales, according to advices received here from that port. The commander of the federal garrison, General Ignacio Morelos Zaragosa, in reply, dared the rebels to come and take the city.

It is not expected that the rebels will try to capture the seaport, which is well garrisoned and fortified and has the additional protection of the gunboats Vera Cruz and Tampico.

MUST DECIDE THAW'S SANITY

Judge Rules That Mental Condition Must Be Determined in Federal Courts.

Concord, Dec. 9.—Judge Aldrich ruled today that the mental condition of Harry K. Thaw must be determined in the federal courts. The court's announcement was made at the hearing on Thaw's petition to be admitted to bail.

"The constitutional questions involved in this case," added Judge Aldrich, "are of such importance that I shall not pass on them myself but shall forward them as promptly as possible to the supreme court of the United States."

The constitutional questions are concerned with Thaw's extradition, his status in New York and his status in New Hampshire.

REBELS OUTWIT THE FEDERALS

Slip Around Town, Board and Disable Gunboat and Seize Dynamite.

Twenty Insurgents Take Gasoline Launch and Overpower Tuxpam Crew.

Mexico City, Dec. 9.—The rebels under General Candido Aguilar, in the vicinity of Tuxpam, scored a success over the federal troops there yesterday by slipping round the edge of the town and boarding the gunboat Tuxpam while the federal troops were not looking, disabling her machinery and guns and getting away with a quantity of dynamite.

According to the story reaching the federal capital, the trick of the rebels was due to "carelessness on the part of some of the federals."

The gunboat was stationed some distance above the town to observe the movements of, and menace, the rebels.

The latter got a gasoline launch, manned it with twenty men and boarded the gunboat while she was in charge of a small crew which they overpowered.

LOBBY REPORT MADE PUBLIC

Representative McDermott of Illinois Guilty of Acts of Grave Impropriety

DEFINITION OF LOBBY

Manufacturers Charged With Preventing and Seeking to Prevent Legislation.

Washington, D. C., Dec. 9.—Results of the house lobby investigation by a committee headed by Representative Garrett of Tennessee, were made public today in two reports, the majority report signed by Democrats and Republicans alike, and a supplemental report filed by Representative MacDonald of Michigan.

The majority made no recommendation, but declared that Representative McDermott of Illinois had been guilty of acts of "grave impropriety, unbefitting the dignity of his position, though 'we cannot say that he has been corrupted in his votes.'"

The majority report also held that McDermott, having intimate relations with I. H. McMichael, former chief page of the house, knew that M. M. Mulhall, a lobbyist for the National Association of Manufacturers, employed McMichael. The majority held that both the National Association of Manufacturers and the American Federation of Labor engaged in political activities and expended money to effect nominations and elections of the members of the House of Representatives.

Congress Lowers Standard.
Representative McDermott, who agreed with the majority findings, declared that congress has fallen somewhat from its high estate in the estimation of the American people. He made recommendations for legislative reforms.

The main conclusions of the majority define a lobby as "a person or body of persons seeking to influence legislation by congress in any manner whatsoever."

"The National Association of Manufacturers, the National Council for Industrial Defense, the National Tariff Commission association, the American Federation of Labor, the Washington City Association of Liquor Dealers, and local loan sharks are found to have maintained lobbies."

Martin M. Mulhall is held to have admitted errors in some vital statements made in his charges, to have corroborated in other subjects of importance by officials of the National Association of Manufacturers and the National Council for Industrial Defense.

Nothing illegitimate was found in the activity of the American Federation of Labor. Lobbies of liquor dealers and money lenders in Washington were found to have neither effected nor prevented legislation improperly.

No evidence was found of employment of members of the House for improper purposes.

Tipping Reprehensible.
Tipping of house employees was denounced as reprehensible. The employment by the Manufacturers Association of former Chief Page McMichael, of the House, was severely censured.

Representatives Barthold of Missouri, Burke of Pennsylvania, Calder of New York, Sherley of Kentucky, Webb of North Carolina, were upheld as "neither reached nor influenced by the manufacturers."

The committee held that Representative McDermott minimized his intimate relations with Mulhall, that he obtained small loans from Mulhall but added that "these were personal acts of Mulhall, and we do not believe that he let McDermott have the money with a view to corrupting him, nor do we believe McDermott received from Mulhall in loans or otherwise anything near the \$1500 or \$2000, as alleged."

The committee concluded that McDermott's railing and associations have not given him the ethical perceptions and standards relative to public office that usually characterize public men.

"We cannot say that he has been corrupted in his votes," it added, "but some things which a private citizen may do with impunity must be avoided by one in official station."

Representative MacDonald introduced two resolutions at a conference with Representative Murdock of Kansas, the Progressive leader.

McDermott Liable to Expulsion.
The first provided that the House should forthwith proceed to determine whether the report did not show Representative McDermott to have been guilty of "disgraceful and dishonorable conduct in his official capacity, rendering him unworthy of remaining as a member of the House and liable to expulsion."

The other requested the House to determine whether the officers and agents of the National Association of Manufacturers, including Messrs. Bird, Mulhall and others had not been guilty of continued gross misconduct against the good order and dignity of the House, rendering them liable to punishment for contempt.